

Good Morning:

My name is Cheryl L. Lankford of DeLand, FL. I have been a licensed funeral director and embalmer for the past 19 years and I work in our family owned and operated firm, Lankford Funeral Home.

In June of 1997, I attended an Independent Funeral Directors convention and was introduced to Mr. Scott Langston. He asked if I would be willing to view several documents regarding the Lyndall Carriere case and he then explained the basis of the case to me. In reviewing the documents I found several mistakes in the format of how the sales person wrote the pre-need contract for Mrs. Carriere. Each state lines out the regulations that would pertain to how to write a pre-need contract and what can and can't be excepted on the said contract. This serves as protection for the purchaser as well as for the protection and instructions for the funeral home when the purchaser dies.

Mr. Langston revealed to me that the said counselor met with Mrs. Carriere approximately five times to secure the pre-need sale and each time a new contract was written, more merchandise was added and in my opinion was not the standard practice of a consumer to purchase. She and her niece had first contacted the cemetery to begin setting up for the arrangements of her husband by selecting the burial site for the cremated remains. This is by no means a lavish purchase for most consumers especially in the age group of Mrs. Carriere. What I mean by this is with her state of mind and not being educated she entrusted herself to be instructed by this salesman to see that her needs were met for the said burial. I later learned that the salesman befriended her and he and his family took her to Busch Gardens for the day and after the last of the contracts were written his visits ceased.

This is not unusual practice for the sales force of S. C. 1. as they are taught to not leave the home of the consumer without a check and if the contract is not right it can be "fixed" later at the office. In speaking with Mr. Langston I told of similar stories from my area as we have three S. C. 1. firms and two of their cemeteries in our 7 mile radius. I received a call on one lady that she reported the salesman came over, hung pictures, and did her laundry only to leave without a contract this time. This is just one of many stories. I am enclosing a video of some of the other practices that they continue to do today even with all that has occurred to them. The sales person gets paid on a commission basis based on the amount of the contract, thus the need to "bump up" the sale of merchandise.

Mrs. Carriere was taken advantage of in this case with regards to her state of mind and unfortunately enough to say through her loneliness which we see more and more with the elderly who have no family members around to protect them.

I belong to a group funeral directors that own and operated their firms which today is becoming more and more unheard of As funeral directors grow older their family members are either not interested or they have no one to pass the business on to, thus the sale to a corporation that promises much but delivers little.

I believe as my father did, that families and their needs come first, customer service, and consumer awareness are last but both are a necessary and vital part if our business is to flourish.

Being independent allows me to set the standards in which the treatment of our families will be given as well as the cost of services. Independent owners do not have to answer to stock holders they answer to the community, their dollars go to the area and not to a corporate headquarters to pay executive salaries. There is little pressure with the staff in meeting the needs and the selection of merchandise to the consumer. Ours is one of family serving family where they are not a number but a name.

I was contacted a few years ago by the Federal Trade Commission as S.C.I. was in the process of purchasing two cemeteries in our area., one of which they were to later place a funeral home on. I don't know if this was disclosed to the Commission at the time of the interview with respect of them placing new funeral home on the property or not. But I explained to the Commission that they were wasting my time and theirs with this interview as the minds were already made up and the sale would go through. The Commission was trying to establish if harm would come to the local family owned firms by this sale and my answer was absolutely! for ever answer I had the Commission had a better one and a better reason through their questioning. Such as "if the coporates did purchase this would you be able to compete cost wise?" My answer was no. In my experience, the corporate firms come into a region, lower their costs to secure the business, while letting the revenues of their high dollar firms in other areas compensate and try to run the Independent firms out through this method. I am one of the fortunate ones as I worked for S.C.I. and knew of this practice as well as having worked for the Loewen group for 6 years. I was asked if I felt this would be a monopoly in our area with the ownership and my answer was yes! The come back was at the time was they only owned two firms and two cemetries and how can this become a monopoly? But if you look at each region as a whole instead of the entire industry throughout the United States which is where they based their figures then the picture changes.

We as Independents face many obstacles when competing against a corporately owned firm. The main one being the amount of dollars we have available to spend for advertising, sales forces, and boiler rooms that soliciate the consumer. We as Independents operate by a code of ethics and not solely on the dollar. Corporates have the ability to come in and blanket the community thus attempting to distroy the reputation of area firms. Corporate firms operate under the code of ethics known to them as deception to the consumer They use teaser ads where cost is concerned to lure the consumer into their firms only to find that the consumer becomes the victim as the cost advertised changes once the consumer enters.

To the corporates, the "uneducated consumer" is the best consumer. Thus the unfair treatment of our elderly who think they are helping their loved ones out by securing the costs of their final services in advance.

To improve consumer awareness where they are protected when purchasing pre-need is quite an "undertaking," no pun intended! In order to do this it will need to start on not only a state by state level but by possibly setting up a Special Committee to study and implement the improvements where needed. It is so easy to become a counselor to sell pre-need in the state of Florida that this is the scary part. If you give me your name, address, phone, social security number, date of birth and a check for \$150.00, I can overnight it to Tallahassee, Florida and the next day you can begin writing pre-need. I remember the day when only a licensed funeral director could sign a pre-need contract. This I believe is where it all changes and got so out of hand. Training in this industry is a must and as you can see by the above mention on licensure it doesn't take a rocket scientist to write pre-need.

S. C. I. has stated that they do train their pre-need sales persons but from first hand knowledge this is not the case. Very little training is involved for something that I feel is such an important decision to make by the consumer.